

E-FILED on: 10/3/2008

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ADOBE SYSTEMS, INC.,

Plaintiff,

v.

CHRISTOPHER CAIN, individually and d/b/a
www.ascendancygroup.com, *et al.*

Defendants.

No. C-08-02435 RMW

REQUEST FOR FURTHER BRIEFING IN
SUPPORT OF ADOBE'S MOTION FOR
DEFAULT JUDGMENT

[Re Docket Nos. 17]

Plaintiff Adobe Systems, Inc. moves for default judgment against defendant Christopher Cain based on Mr. Cain's alleged unauthorized distribution of Adobe software on eBay. Adobe alleges that Mr. Cain lives in Staten Island, New York, but that jurisdiction is proper in this district. Compl. ¶¶ 12, 13. In support of its motion, Adobe submits evidence of transaction between Mr. Cain and Adobe's agents in Woodland Hills, California. Johnson Decl., Ex. C.

The court requests further briefing in support of Adobe's motion regarding the impact, if any, of *Boschetto v. Hansing*, 539 F.3d 1011 (9th Cir. Aug. 20, 2008). Adobe should file any such briefing by October 10, 2008.

DATED: 10/3/2008



RONALD M. WHYTE
United States District Judge

1 Notice of this document has been electronically sent to:

2 **Counsel for Plaintiff:**

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5 **Defendants:**

6 (No appearance)

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10 **Dated:** 10/3/2008

11 TSF
12 **Chambers of Judge Whyte**